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June 12, 2023

VIA EMAIL AND ECF

The Honorable Katherine Polk Failla
United States District Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

**Re: United States v. Esteban Cabrera Da Corte, et al.,
22-CR-437 (KPF)**

Your Honor:

We write on behalf of Mr. Asdrubal Ramirez Mesa to request a 30-day adjournment of the schedule for pre-trial motions pursuant to Federal Rule of Criminal Procedure 12(c)(2). This is our third request for a 30-day adjournment of the schedule for submission of pre-trial motions. Discussions toward a resolution of this matter are ongoing and the government consents to this request, as does counsel for Mr. Luis Hernandez Gonzalez. The second schedule set June 15, 2023 for submission of the moving papers. The proposed alternative deadlines for pre-trial motions would be:

- July 17, 2023, for Defendants' Pretrial Motions;
- August 17, 2023, for the Government's Opposition; and
- August 31, 2023, for Defendants' Reply.

The conference/potential hearing date currently scheduled for early September would be adjourned to a date in early October or as soon thereafter as would be convenient to the Court. Time has previously been excluded under the Speedy Trial Act until May 24, 2023, and defense counsel do not object to time being excluded between May 24 and the date of the next conference/hearing in early October or as soon thereafter as convenient to the Court.

Thank you for your attention to this matter.

Respectfully submitted,

/s/

Michael W. Martin, Esq.
Lincoln Square Legal Services, Inc.
Counsel for Asdrubal Ramirez Mesa

cc: Emily Deininger
Assistant United States Attorney (S.D.N.Y.)
By Email and ECF

Bijan Parwaresch, Esq.
Counsel for Luis Hernandez Gonzalez
By Email and ECF

Application GRANTED. The Court adopts Mr. Ramirez Mesa and Mr. Hernandez Gonzalez's proposed schedule for pretrial motion briefing. Additionally, the motion hearing currently scheduled for September 7, 2023 is hereby ADJOURNED to 3:30 p.m. on **October 11, 2023**. The parties are reminded that oral argument will take place in person. As this is the third extension of these deadlines, they will not be extended again.

It is further ORDERED that time is excluded under the Speedy Trial Act between September 7, 2023 and October 11, 2023. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the defendant in a speedy trial because it will permit defense counsel to prepare any pretrial motions and permit the parties to consider a pre-trial disposition.

The Clerk of Court is directed to terminate the motion at docket entry 62.

Dated: June 12, 2023
New York, New York

SO ORDERED.

